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DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled EYEGLOSS MANUFACTURING METHOD USING VARIABLE INDEX LAYER; the specification of which was filed on **October 25, 2001** as Application Serial No. **10/044,304**.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: **Andreas W. Dreher**

Inventor's signature 

Date **May 16, 2002**

Residence: 3105 Paseo Cristal, Escondido, California 92029

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Send Correspondence To:
KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Andreas W. Dreher)
App. No. : 10/044,304)
Filed : October 25, 2001)
For : EYEGLOSS MANUFACTURING)
METHOD USING VARIABLE)
INDEX LAYER)
Examiner : Unknown)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, Customer No. 20,995, as its attorneys with full power of substitution and

App. No. : 10/046,656
Filed : October 25, 2001

revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor and his attorney in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

OPHTHONIX, INC.

Dated: 5/20/2002

By: 
Andreas W. Dreher, Ph.D.

Title: President & CEO

Address: 10455 Pacific Center Court
San Diego, CA 92121

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